

**From:** Carlos Benjamin  
**To:** Microsoft ATR  
**Date:** 1/23/02 10:01am  
**Subject:** Microsoft Settlement

Regarding the proposed settlement with Microsoft:

As a computer professional I am concerned that Microsoft will continue to use anti-competetive tactics to stifle genuine innovation in the computer software arena. Their continued leveraging of their Operating System Monopoly on the Intel (and AMD) platform to block competing software from the channel is wrong.

If the DOJ does not force Microsoft's hand in this matter, there will be no profit incentive for creating new applications, Microsoft will win in the marketplace by default and the consumers will be hurt by ever-decreasing options.

An additional argument could be made that a continued Microsoft monopoly will create a security threat to the computing infrastructure that runs the Internet and much of American business. All of the crippling computer virus and worm attacks over the past couple of years have been against Microsoft products. While part of this can be attributed to the size of Microsoft's installed base making for a large target, much of it must lay at the door of Microsoft and their continual creation of exploitable vulnerabilities in their software products. This is a problem not just for users of Microsoft products, but creates problems for those of us running more secure systems. The Code Red worm attacks and compromises Microsoft IIS servers but affects other servers by diminishing bandwidth, clogging up mail servers with emails trying to replicate itself and by "pestering" servers with port scans and attempts to breach security measures.

Having watched while too many companies have created innovative software applications, competed successfully against inferior Microsoft products that followed and were eventually squashed by Microsoft's ability to brow-beat the OEM's and retailers by leveraging their monopoly position in the OS market, I was happy to see the DOJ take on this monolithic giant on the behalf of consumers. Genuine innovation flourishes in a competetive environment. Microsoft's continued abuses have created a chilling effect in the marketplace that stops innovators by removing the incentives to create something new. It's like the kid on the beach who stops building sand castles because he knows the bully will come along before he can finish and kick it to pieces.

I urge you to reconsider this settlement and break the stranglehold Microsoft has placed on the industry.

Sincerely,  
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